



Regulatory Advisory



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Advisory: Regulation for Small Containers of Automotive Refrigerant

Attention: Distributors

The purpose of this advisory is to explain what distributors need to do to meet the regulatory requirements for small containers of automotive refrigerant sold in California. Only products certified by the California Air Resources Board (ARB) may be sold in California.

Background

The ARB adopted a regulation to reduce refrigerant emissions from the Do-It-Yourself re-charging of motor vehicle air conditioners (MVAC) such as those in cars and pickup trucks. The refrigerant, R-134a, used in MVACs is a highly potent greenhouse gas. This regulation became law in the state of California on January 1, 2010 and was amended on April 13, 2017. Although manufacturers bear the majority of the responsibility for meeting the regulatory requirements, distributors also play an important role.

What should distributors do to comply with the regulation?

The distributors:

- Pay a refundable deposit to the manufacturer when purchasing the product. Deposits are returned when the used product containers are returned to the manufacturer.
- Accept from retailers and other customers the used certified product containers that have been returned as part of the regulation's used container return program.
- Store returned containers in a manner compatible for transport to recycling facilities.
- Report annual product sales data for these products. Report forms may be obtained from the ARB or the manufacturers and are due March 1 of the following year.
- Maintain records of product sales and purchases for at least 5 years. The records may be stored in paper, electronic, or other usable formats.
- Manufacturers coordinate with and assist distributors in transporting the used containers to the facilities where the container materials and remaining refrigerant are recycled. Distributors acting as retailers and selling to end-users or consumers must meet the retailer requirements specified in the regulation. These requirements are contained in a retailer fact sheet on the website listed below.

Penalties for Violations

Penalties may be assessed for any violation of this regulation pursuant to Health and Safety Code section 38580. Each day during any portion of which a violation occurs is a separate offense. Additionally, any violation of this subarticle may be enjoined pursuant to Health and Safety Code section 41513.

For more information

This regulation, fact sheets, executive orders for the certified products, and other information are available at www.arb.ca.gov/cc/hfc-mac/hfcdiy/hfcdiy.htm.

For any further information, contact Dr. Yahui Yang, ARB Research Division, at yahui.yang@arb.ca.gov or (916) 323-2537.

To obtain this document in an alternative format or language, please contact the ARB's Helpline at (800) 242-4450 or at helpline@arb.ca.gov. TTY/TDD/ Speech to Speech users may dial 711 for the California Relay Service.